

Motion DENIED

This the 31st day of October, 2016.

/s/ Louise W. Flanagan

IN THE U.S. DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NOEL A. DALE

Plaintiff

TWC ADMINISTRATION LLC
s/h/a TIME WARNER CABLE

Defendants

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) Case No, 5:14-cv-169-FL
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**PLAINTIFF'S AFFIDAVIT IN SUPPORT OF
MOTION TO RECONSIDER UNDER FRCP 59 (e)**

This affidavit is submitted by the self-represented plaintiff in this action, Noel A. Dale, in support of his motion under FRCP 59 (e) seeking reconsideration of this court's Order of September 23, 2016, confirming the magistrate's recommendations that it be dismissed. The court has made a serious error of fact in accepting the defendants' argument that an "internal policy manual" applied to my employment because it uses the acronym "TWC."

To arrive at this conclusion, Judge Flanagan accepted the argument that my employer was TWC Administration LLC. However, TWC Administration LLC was not incorporated until 30 days after the decision to fire me was made.

Standard for Relief under Rule 59 (e)